



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/806,463	05/31/2001	Ossi Ahola	P279296	2811

909 7590 06/15/2007  
PILLSBURY WINTHROP SHAW PITTMAN, LLP  
P.O. BOX 10500  
MCLEAN, VA 22102

EXAMINER
----------

NGUYEN, THUAN T

ART UNIT	PAPER NUMBER
----------	--------------

2618

MAIL DATE	DELIVERY MODE
-----------	---------------

06/15/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

### Application No.

09/806,463

### Applicant(s)

AHOLA ET AL.

### Examiner

THUAN T. NGUYEN

### Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5-7, 11-14, 17-20 is/are allowed.
- 6) ☒ Claim(s) 1-4, 8-10, 15-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____                                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____   | 6) <input type="checkbox"/> Other: ____                           |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. The petition for withdrawal of the restriction requirement is acknowledged, and the examiner withdraws the election requirement. Claims 1-20 are all pending for reconsideration.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 9-10 and 15-16 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.*

4. Claims 1-4, 8-10 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salmela et al.(US patent 6,516,193 B1) in view of Jarett et al. (U.S. Patent 5,911,120).

Regarding claim 9, Salmela discloses "a subscriber terminal of a radio system, comprising: transceiving means for setting up a communication link via a radio path to other parts of the system; measuring means for measuring strengths of signals received from different base stations and for storing measured results in a memory; and transmitting means for transmitting a location updating message to the other parts of the system" (col. 2/lines 9-64 for measuring of signals of base station transceivers and transceiving means between the mobile station and the base stations addressed; col. 3/lines 35 to col. 4/line 28, Fig. 3A and col. 6/lines

Art Unit: 2618

17-64 for location updating from the mobile user, with Fig. 4A, and col. 7/line 55 to col. 8/line 5 for mobile station has memory for storing measurement data or information of location updating data; and as in Fig. 1, and col. 10/lines 23-32 for signal strengths of base station transceivers of plurality of different base stations are determined for a list of acceptable cells for communications).

Salmela does not show that “wherein the transceiving means are arranged to transmit the measurement results stored in the memory to the other parts of the system in response to a predetermined command received by the subscriber terminal”; however, this technique is known in the art as measurement results are reporting to the base station for other update or enhanced service. In fact, Jarett teaches the same technique as measurement results of highest RSS are collected by the cellular base station (Jarett, col. 38/line 66 to col. 39/line 48 & col. 40/lines 46-60), and the mobile station checks and triggers the transmission of the measurement results based on the predetermined command from the user/subscriber terminal (Jarett, see col. 13/line 4 to col. 14/line 12). Therefore, it would have been obvious to one of ordinary skill in the art to modify Salmela’s system with Jarett’s teaching technique as taught in order to provide the step of transmitting the measurement results stored in the memory to the other parts of the system in response to a predetermined command received by the subscriber terminal as desired.

As for claim 10, in view of claim 9, Salmela further discloses “wherein the transmitting means are arranged to transmit the measurement results in a short message to the other parts of the system” (col. 10/lines 1-22 for USSD or short message addressed).

Regarding claim 15, Salmela discloses “a subscriber terminal of a radio system, comprising: a transceiving unit configured to set up a communication link via a radio path to

Art Unit: 2618

other parts of the system; a measuring unit configured to measure signal strengths received from different base stations to produce the measurement results and configured to store the measurement results in the memory; and a transmitting unit configured to transmit a location updating message to the other parts of the system” (col. 2/lines 9-64 for measuring of signals of base station transceivers and transceiving means between the mobile station and the base stations addressed; col. 3/lines 35 to col. 4/line 28, Fig. 3A and col. 6/lines 17-64 for location updating from the mobile user, with Fig. 4A, and col. 7/line 55 to col. 8/line 5 for mobile station has memory for storing measurement data or information of location updating data; and as in Fig. 1, and col. 10/lines 23-32 for signal strengths of base station transceivers of plurality of different base stations are determined for a list of acceptable cells for communications).

Salmela does not show that “a transceiving unit configured to transmit the measurement results stored in the memory to the other parts of the system in response to a predetermined command received by the subscriber terminal”; however, this technique is known in the art as measurement results are reporting to the base station for other update or enhanced service. In fact, Jarett teaches the same technique as measurement results of highest RSS are collected by the cellular base station (Jarett, col. 38/line 66 to col. 39/line 48 & col. 40/lines 46-60), and the mobile station checks and triggers the transmission of the measurement results based on the predetermined command from the user/subscriber terminal (Jarett, see col. 13/line 4 to col. 14/line 12). Therefore, it would have been obvious to one of ordinary skill in the art to modify Salmela’s system with Jarett’s teaching technique as taught in order to provide the step of transmitting the measurement results stored in the memory to the other parts of the system in response to a predetermined command received by the subscriber terminal as desired.

Art Unit: 2618

As for claim 16, in view of claim 15, Salmela further discloses “wherein the transmitting unit is configured to transmit the measurement results in a short message to the other parts of the system” (col. 10/lines 1-22 for USSD or short message addressed).

As for claims 1-4 and 8, these claims are rejected for the reasons given in the scope of claims 9-10 and 15-16 (since the applicants persistently argue that all the claims are referred to same invention), not limited to the cited paragraphs but to the entire references whether either they are alone and inherently suggested, taught or combined to teach from Salmela and Jarett’s.

***Allowable Subject Matter***

5. Claims 5-7, and 11-20 have been allowed.

6. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record does not teach or suggest each and every feature of the present invention for a wireless local loop radio system comprising: a plurality of subscriber terminals including: measuring means for measuring strengths of signals received from different base stations and for storing measurement results in a memory, and transmitting means for transmitting location updates to other parts of the system; a subscriber network element configured to communicate with an exchange and including transmitting means for transmitting telecommunication signals between the subscriber terminals and the exchange via the base stations; detecting means for detecting a location updating message transmitted by a particular subscriber terminal; command transmitting means for transmitting a command to the particular subscriber terminal after detecting the location updating message transmitted by the subscriber terminal, wherein the command is to transmit the measurement results stored in the memory of

Art Unit: 2618

the subscriber terminal; receiving means for receiving the measurement results transmitted by the subscriber terminal; identifying means for identifying the base stations with the strongest signals at least partially based on the measurement results received from the subscriber terminal; and determining means, responsive to the identification means, for determining a home area for the subscriber terminal such that the home area includes at least one of the identified base stations as claimed in claim 5 and similarly in claims 11, 14 and 17.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Raffel et al., Kallin et al., and Rugaard (PTO-892 attached) disclose systems related to wireless communication system with methods of determining home area.

8. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to the New Central Fax number:**

(571) 273-8300, (for Technology Center 2600 only)

Hand deliveries must be made to Customer Service Window,  
Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tony Thuan Nguyen whose telephone number is (571) 272-7895. The examiner can normally be reached on Monday-Friday from 10:00 AM to 7:00 PM.

Art Unit: 2618

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Tony T. Nguyen', with a stylized, flowing script.

Tony T. Nguyen  
Primary Examiner  
Art Unit 2618

TTN  
June 08, 2007